

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, NC

REGULAR MEETING:

19 September 2000

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Bill Judge, employee in the Transportation Department, who served as courier for the meeting.

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The Mayor outlined the procedure for conduct of the meeting.

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Councilmember Burroughs-White read into the minutes a resolution honoring the memory of the late Dr. Charles A. "Chuck" Fountain. Following brief comments and a presentation of the resolution to the Fountain family, she thereupon moved the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

174-00 RESOLUTION HONORING THE MEMORY OF THE LATE DR. CHARLES A. "CHUCK"
FOUNTAIN

WHEREAS, on August 26, 2000, this community lost one of its outstanding community leaders with the death of Dr. Charles "Chuck" A. Fountain;

WHEREAS, a native of Savedge, Virginia, he grew up on a small family farm and later received his M.S. and PhD. in Horticulture from Michigan State University and an M.L.A. in Landscape Architecture from the University of California, Berkley;

WHEREAS, Dr. Fountain was Professor Emeritus of Landscape Architecture and was the father of the Landscape Architecture Program at N.C. A&T State University;

WHEREAS, while teaching at A&T State University he was elected to positions of leadership, some of which included special award by North Carolina Chapter of American Society of Landscape Architects; Recognition by the Department of Agricultural Education as an "Outstanding Agricultural Educator; appointment to the first North Carolina Board of Landscape Architects; member of the East Market Street Development Corporation, and, in September 2000 will be inducted into the North Carolina Agricultural and Technical State University School of Agriculture and Environmental and Allied Sciences "Hall of Fame";

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Dr. Charles "Chuck" A. Fountain and the legacy he leaves.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Dr. Charles A. Fountain.
2. That a copy of this resolution shall be delivered by the family of the late Dr. Fountain as a symbol of the gratitude of the people of Greensboro for his many contributions to this community.

(Signed) Claudette Burroughs-White

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Mayor Holliday stated that Council had received a request to continue agenda public hearing item number 7, an ordinance rezoning from RS-12 Residential Single Family to Highway Business for property located on the east side of Randleman Road between Rocky Knoll court and Apple Ridge Road. The Mayor asked if anyone wished to be heard. There being no one wishing to speak to the matter, Councilmember Burroughs-White moved to continue the ordinance to the October 3, 2000 meeting of Council without further advertising. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of the Council.

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for local improvements on Pinewood Drive from Ballinger Road to the North End of Pinewood Drive (1200 Block). He stated this matter was continued and asked the City Manager if to advise Council of any developments of which they might need to be aware. The Manager stated that there appeared to be no speakers present and that no one wished to speak to the matter.

Thereupon, there being no one present who came forward to speak to the matter, Councilmember Phillips moved the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

P-190 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

PINEWOOD DRIVE FROM BALLINGER ROAD TO THE NORTH END OF PINEWOOD DRIVE (1200 BLOCK)

WHEREAS, on the 4th day of February, 1997, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals be laid for the proper connection of abutting property with the water main.

Sanitary Sewer Improvements. That a sanitary sewer main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals be laid for the proper connection of abutting property with the sewer main.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

PINEWOOD DRIVE & OUTFALL

Ballinger Road to North End of Pinewood Drive
1200 Block/Ex. Wakefield Dr. to Pinewood Drive

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 18th day of July, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Tom Phillips

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional Use – RS-7 Residential Single Family and RS-12 Residential Single Family to RS-7 Residential Single Family for property located on the east side of Holland Road, south of Summit Avenue, north of Allyson Avenue, and west of Pineneedle Drive. He stated this matter was being heard on appeal filed by W. Scott Wallace after receiving a vote of 3-5 by the Zoning Commission to recommend denial of the rezoning.

C. Thomas Martin, Planning Director, presented a land use map and slides of the property and surrounding area and outlined the proposed rezoning

The Mayor asked if anyone wished to be heard.

Scott Wallace, president of Keystone Homes residing at 4803 Camber Road, outlined the firm's development plans and objectives. Following brief discussion, Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-170 AMENDING OFFICIAL ZONING MAP

EAST SIDE OF HOLLAND ROAD, SOUTH OF SUMMIT AVENUE, NORTH OF ALLYSON AVENUE, AND WEST OF PINENEEDLE DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from Conditional Use – RS-7 Residential Single Family and RS-12 Residential Single Family to RS-7 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the southeast corner of the property, said point being in the northern line of Lot 58, Block 3, Guilford County Tax Map 438; thence along the N86°07'42"W 832.03 feet to a point; thence

N85°02'38"W 50.49 feet to a point; thence S03°12'26"W 227.42 feet to a point; thence N87°37'23"W 50.02 feet to a point; thence N03°45'47"E 59.97 feet to a point; thence N88°15'01"W 200.69 feet to a point in the eastern right-of-way line of Holland Road; thence N04°43'18"E 473.64 feet to a point; thence N30°39'34"E 17.45 feet to a point; thence S89°57'20"W 25.05 feet to a point; thence S82°35'12"W 49.42 feet to a point in the eastern right-of-way line of Holland Road; thence along said right-of-way line along a curve to the right N73°18'18"W 148.53 feet to a point through a central angle of 26°31'54", an arc distance of 83.40 feet, a chord bearing of N60°02'21"W and a distance of 82.67 feet; thence along a curve to the right a chord course and distance N19°32'37"W 164.82 feet to a point; thence continuing along said eastern right-of-way line N07°37'49"E 24.94 feet to a point; thence N07°37'49"E 240.52 feet to a point in the intersection with the southern right-of-way line of Summit Avenue; thence along said southern right-of-way line N59°20'48"E 120.25 feet to a point; thence leaving said right-of-way line S30°07'05"E 188.81 feet to a point; thence N59°20'48"E 100.00 feet to a point; thence S31°31'24"E 132.95 feet to a point; thence S48°12'43"W 236.00 feet to a point; thence S48°12'43"W 18.52 feet to a point; thence N87°40'01"E 179.76 feet to a point; thence N88°55'34"E 49.99 feet to a point; thence N87°46'35"E 18.50 feet to a point; thence N88°54'30"E 181.71 feet to a point; thence S89°54'15"E 464.99 feet to a point; thence S89°51'20"E 372.88 feet to a point; thence S00°08'17"W 116.67 feet to a point; thence S48°59'22"W 75.99 feet to a point; thence S00°08'17"W 100.00 feet to a point; thence N89°51'43"W 41.83 feet to a point; thence S10°46'19"E 315.44 feet to the point of BEGINNING, containing approximately 17.772 acres.

(Signed) Claudette Burroughs-White

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to RS-9 Residential Single Family for property located on the east side of Martinsville Road between Pisgah Church Road and Hathaway Drive. He stated this matter was being heard on appeal by Bart Kincaid, Elizabeth Slaughter and Timothy Taylor after receiving a vote of 8 – 0 by the Zoning Commission to recommend approval of the rezoning.

Mr. Martin presented a land use map and slides of the property and surrounding area.

The Mayor asked if anyone wished to be heard.

Wiley A. Sykes, III, residing at 3506 Kirby Drive stated he was the owner of the property and presented development plans for illustrious purposes only.

Councilmember Phillips stated that because this was not a conditional use zoning, the plans submitted by Mr. Sykes could not be considered as a basis for the Council's decision.

Speaking in opposition to the rezoning were Elizabeth Slaughter, residing at 2404 Running Brook Drive; Kenneth Eckles, residing at 2400 Running Brook Drive; and Larry Patterson, residing at 2407 Running Brook Drive. Ms. Slaughter stated the residents had presented a petition to Council opposing the rezoning of the property to RS-9. She spoke to numerous concerns including traffic, safety, and incompatibility of planned development with the existing area and potential devaluation of property.

The possibility of contract zoning was suggested by Mr. Patterson. The City Attorney advised Council that discussion of contract zoning was not appropriate at this hearing and reminded them that because the zoning was not conditional use, they would have to consider every use allowed as the basis for their decision under the proposed zoning.

Councilmember Phillips spoke to his recent visit to the proposed site and shared his opinion that the characteristics of the neighborhood would not be preserved under the proposed rezoning. After additional discussion, Councilmember Johnson thereupon moved to DENY the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was DEFEATED on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

(A copy of the ordinance as introduced is filed in Exhibit Drawer N, Exhibit Number 13 and is hereby referred to and made a part of these minutes).

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Mayor Holliday recognized Boy Scout Troop 160, who were present in the Chamber.

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Councilmember Johnson left the Chamber at 7:17 p.m.

Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for widening, curb and gutter improvements on Vandalia Road from the western city limits to Holden Road where none now exists. Mayor Holliday asked if anyone wished to be heard.

After the Mayor stated there was no one present wishing to speak to the matter, Councilmember Jones moved to close the public hearing. The motion was seconded by Councilmember D. Vaughan and unanimously adopted by voice vote of Council. Thereupon, Councilmember Jones moved the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson (in absentia as provided for by law), Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

V-87 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

VANDALIA ROAD FROM THE WESTERN CITY LIMITS TO HOLDEN ROAD (WHERE NONE NOW EXISTS)

WHEREAS, on the 17th day of April, 1989, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on both sides with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

VANDALIA ROAD

Groometown Road to Holden Road

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 19th day of September, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

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Mayor Holliday stated this was the time and place set for a public hearing to consider a resolution closing Joan Avenue, unopened section from the east-west section of Joan Avenue northward to its end, a distance of approximately 200 feet. The Mayor asked if anyone wished to be heard.

After the Mayor stated there was no one present wishing to speak to the matter, Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson (in absentia as provided for by law), Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

175-00 RESOLUTION CLOSING JOAN AVENUE, UNOPENED SECTION FROM THE EAST-WEST SECTION OF JOAN AVENUE NORTHWARD TO ITS END, A DISTANCE OF APPROXIMATELY 200 FEET

WHEREAS, the owners of all of the property abutting both sides of Joan Avenue have requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, September 19, 2000 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

JOAN AVENUE, UNOPENED SECTION FROM THE EAST-WEST SECTION OF JOAN AVENUE NORTHWARD TO ITS END, A DISTANCE OF APPROXIMATELY 200 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Tom Phillips

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The Mayor stated this was the time and place set for a public hearing to consider a resolution closing Isler Court from the east line of Lot 1 of Gairfield Subdivision eastward to the Interstate 40 Exit Ramp right-of-way, a distance of approximately 200 feet. The Mayor asked if anyone wished to be heard.

After the Mayor stated there was no one present wishing to speak to the matter, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson (voting in absentia as provided for by law), Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

176-00 RESOLUTION CLOSING ISLER COURT, FROM THE EAST LINE OF LOT 1 OF FAIRFIELD SUBDIVISION EASTWARD TO THE INTERSTATE 40 EXIT RAMP RIGHT-OF-WAY, A DISTANCE OF APPROXIMATELY 200 FEET

WHEREAS, the owner of all of the property abutting both sides of Isler Court has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, September 19, 2000, at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned portion of street has requested in writing that said portion of street be closed.
2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.
3. That the following portion of street is hereby permanently closed and abandoned as a public street:

ISLER COURT, FROM THE EAST LINE OF LOT 1 OF FAIRFIELD SUBDIVISION EASTWARD TO THE INTERSTATE 40 EXIT RAMP RIGHT-OF-WAY, A DISTANCE OF APPROXIMATELY 200 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Sandy Carmany

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Councilmember Johnson entered the Chamber at 7:21 p.m.

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Mayor Holliday stated this was the time and place set for a public hearing to consider a resolution closing Fields Street from Electra Drive westward for approximately 176 feet. The Mayor asked if anyone wished to speak to this matter. After the Mayor stated there was no one present wishing to be heard, Councilmember Carmany moved

adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

177-00 RESOLUTION CLOSING FIELDS STREET, FROM ELECTRA DRIVE WESTWARD FOR APPROXIMATELY 176 FEET

WHEREAS, the owners of the property abutting both sides of Fields Street have requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, September 19, 2000 at 6:00 p.m., on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

FIELDS STREET, FROM ELECTRA DRIVE WESTWARD FOR APPROXIMATELY 176 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Sandy Carmany

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Triad Center Drive, the 50 foot wide portion of right of way lying outside of the new realignment for a distance of approximately 820 feet. Mayor Holliday asked if anyone wished to be heard.

After the Mayor stated there was no one present wishing to speak to the matter, Councilmember Johnson moved the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

178-00 RESOLUTION CLOSING TRIAD CENTER DRIVE, THE 50 FOOT WIDE PORTION OF RIGHT-OF-WAY LYING OUTSIDE OF THE NEW REALIGNMENT FOR A DISTANCE OF APPROXIMATELY 820 FEET

WHEREAS, the owner of all of the property abutting both sides of Triad Center Drive has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, September 19, 2000, at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the all of owners of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.
2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.
3. That the following portion of street is hereby permanently closed and abandoned as a public street:

TRIAD CENTER DRIVE, THE 50 FOOT WIDE PORTION OF RIGHT-OF-WAY LYING OUTSIDE OF THE NEW REALIGNMENT FOR A DISTANCE OF APPROXIMATELY 820 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne Johnson

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution authorizing grant reimbursement with Syngenta Crop Protection, Inc. for office upfit and relocation costs pursuant to N.C.G.S. 158-7.1.

The City Manager stated this request met the intent of economic development guidelines Council had adopted. He explained that while the cap investment threshold had not been met, the creation of new jobs and average wages exceeded the minimums substantially, thus meeting the policy criteria.

The Mayor asked if anyone wished to be heard.

Lynda Drewing, Chief Financial Officer of Novartis, residing at 2602 Turner Grove Drive, outlined the history of Novartis Corporation and Ceiba Geigy in Greensboro. She stated that through a merger acquisition, a new corporation, Syngenta Crop Protection, Inc., would be formed this quarter; that they were in the process of site selection for new headquarters in the NAFTA region and that Greensboro was a finalist in the site selection process. Ms. Drewing presented information with respect to the economic impact of existing operations in Greensboro.

Andrew Burke, President of Forward Guilford, residing at 14-C Park Village Lane, spoke to the impact of Novartis in Greensboro and encouraged Council to support the economic development request.

Heiri Gugger, President and CEO of Novartis Crop Protection, residing at 5002 Quincemoor Court, spoke to his personal experience in Greensboro and his responsibilities in the company's site selection process. He requested Council to make a short-term investment of \$350,000 in the company under the terms of the economic development incentive proposal to secure long term benefits to the community and stated that Governor Hunt supported the economic development package.

Paul Holcomb, residing at 4401 Colonial Avenue, spoke in opposition to the proposal and existing economic development incentive laws. At the Mayor's request, Mr. Gugger clarified what the data in the Syngenta document presented to Council by Mr. Hazard represented.

Lewis Hazard, residing at 1710 B Walker Avenue, provided information purportedly obtained from the Syngenta web site. He offered his opinions as to what the data in the document represented and expressed his opposition to the proposal.

Jan Wood, residing at 2590 Bethel Church Road in Kernersville, stated she opposed the use of tax dollars for the proposed agreement.

Council discussed their opinions regarding the value and need for the agreement. Councilmember Carmany noted that the City’s funding would be provided through refunding of property tax paid by Syngenta as opposed to drawing from existing City funds. Councilmember Phillips stated that he was opposed to the process, not the company and would therefore vote against resolution.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Vaughan and Vaughan. Noes: Phillips.

179-00 RESOLUTION AUTHORIZING GRANT REIMBURSEMENT AGREEMENT WITH SYNGENTA CROP PROTECTION, INC. FOR OFFICE UPFIT AND RELOCATION COSTS PURSUANT TO N.C.G.S. 158-7.1

WHEREAS, the City Council approved and adopted economic development incentive guidelines on December 5, 1994, and amended these guidelines on June 25, 1996, whereby the City will participate financially in the development of a certain private and/or infrastructure improvements to promote economic development in accordance with said guidelines;

WHEREAS, Syngenta Crop Protection, Inc. which is the outgrowth of the merger of Novartis Crop Protection, Inc. of Greensboro and Zeneca Ag Products North America of Wilmington, DE, plans to locate its Regional Headquarters inside the corporate limits of the City of Greensboro at the existing Novartis Crop Protection, Inc. site or in Wilmington, DE;

WHEREAS, Syngenta Crop Protection, Inc., has requested that the City offer economic incentives to provide a grant reimbursement for office upfit and employee relocation costs, which amount of participation is presently estimated at \$350,000.00 based on a portion of anticipated taxes to be derived by the City over a three-year period upon completion of the project;

WHEREAS, it is further anticipated that Syngenta Crop Protection, Inc., will invest an estimated \$7 million dollars, retain 340 current positions and employ up to 110 additional persons over a three year period, and pay wages that are on average, at or in excess of \$88,000.00 per year;

WHEREAS, a public hearing has been held in accordance with N.C.G.S. 158-7.1 setting out the particulars of the request and the public benefits to be derived from said improvements;

WHEREAS, it is deemed in the best interest of the City to enter into a participatory agreement with Syngenta Crop Protection, Inc. to share the cost of the above mentioned improvements whereby the City shall reimburse Syngenta Crop Protection, Inc., up to \$350,000.00, based on a portion of new anticipated taxes to be received from the new project over a period of three years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That in accordance with the City’s economic development incentive guidelines and pursuant to N.C.G.S. 158-7.1, a grant reimbursement and participatory agreement between the City of Greensboro and Syngenta Crop Protection, Inc., for office upfit and employee relocation costs set out above is hereby approved, and the Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement.

(Signed) Yvonne Johnson

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The Mayor declared a recess at 8:10 p.m.

The meeting reconvened at 8:20 p.m. with all Council members present.

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Councilmember Perkins removed item 22 from the Consent Agenda.

The Mayor thereupon read the titles of the following ordinances listed on the Consent Agenda as required by the Greensboro Code of Ordinances:

- Ordinance amending in the amount of \$6,500 the State and Federal Grant Project Budget to establish City of Greensboro Fire Department weapons of mass destruction training.
- Ordinance amending in the amount of \$476,942 the State and Federal Grant Project Budget for the local Law Enforcement Block Grant Program Award to the Greensboro Police Department.

Councilmember Burroughs-White thereupon moved the Consent Agenda as amended. The motion was seconded by Councilmember Carmany; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

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00-172 ORDINANCE AMENDING THE STATE AND FEDERAL GRANTS FUND BUDGET TO ESTABLISH CITY OF GREENSBORO FIRE DEPARTMENT WEAPONS OF MASS DESTRUCTION TRAINING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4052-01.5439	Other Services	<u>\$6,500</u>

And, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4052-01.7110	State Grants	\$6,500

(Signed) Claudette Burroughs-White

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00-173 ORDINANCE AMENDING THE STATE AND FEDERAL GRANT PROJECT BUDGET FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM AWARD TO THE GREENSBORO POLICE DEPARTMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follow:

That the appropriation for the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3555-01.5212	Computer Software	\$8,313
220-3555-01.5235	Small Tools & Equipment	\$42,146
220-3555-01.5949	Miscellaneous	\$49,409

220-3555-01.6051	Licensed Vehicles	\$114,495
220-3555-01.6053	Personal Computers	\$9,000
220-3555-01.6059	Other Capital Equipment	<u>\$253,579</u>
TOTAL:		\$476,942

And, that this increase be financed by increasing the following State and Federal Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3555-01.7110	Federal Grant	\$430,550
220-3555-01.7104	Federal Forfeiture	<u>\$46,392</u>
Total		\$476,942

(Signed) Claudette Burroughs-White

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180-00 RESOLUTION APPROVING HCD GRANT APPLICATION FOR DUKE POWER HOME ENERGY LOAN PROGRAM ADMINISTERED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY

WHEREAS, Duke Power has made available one million dollars (\$1,000,000.00) in competitive grant funds for the Home Energy Loan Program administered by the North Carolina Housing Finance Agency which provides funding for weatherization and other energy related homeowner rehabilitation costs;

WHEREAS, the maximum award for said grant is \$100,000.00 which amount, if awarded, the Department of Housing and Community Development would use to supplement its homeowner rehabilitation activities;

WHEREAS, the loan assistance terms are consistent with the current City of Greensboro Homeowner Rehabilitation Program;

WHEREAS, it is deemed in the best interest of the City to apply for said \$100,000.00 grant to assist citizens with the costs of property rehabilitation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Housing and Community Development grant application for the Duke Power Home Energy Loan Program administered by the North Carolina Housing Finance Agency is hereby approved.

(Signed) Claudette Burroughs-White

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181-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-15 WITH DELLINGER, INC. FOR THE MITCHELL WATER TREATMENT PLANT IMPROVEMENTS

WHEREAS, Contract No. 2000-15 with Dellinger, Inc. provides for the Mitchell Water Treatment Plant Improvements;

WHEREAS, the replacement drain valves for the filter plant sedimentation basins were approximated at twelve inches rather than sixteen inches, thereby necessitating a change order in the contract in the amount of \$26,432.56.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Dellinger, Inc. for the Mitchell Water Treatment Plant Improvements is hereby authorized at a total cost of \$26,432.56, payment of said additional amount to be made from Account No. 501-7063-01.6019.001.

(Signed) Claudette Burroughs-White

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182-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-14 WITH JIMMY R. LYNCH & SONS, INC. FOR VARIOUS WATER AND SEWER IMPROVEMENTS

WHEREAS, Contract No. 2000-14 with Jimmy R. Lynch & Sons, Inc. provides for various water and sewer improvements;

WHEREAS, it is necessary to upgrade the existing 2-inch water lines to 6-inch lines on Alton Street and Courtland Street, thereby necessitating a change order in the contract in the amount of \$75,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Jimmy R. Lynch & Sons, Inc. for the water and sewer improvements is hereby authorized at a total cost of \$75,000.00, payment of said additional amount to be made from Account No. 503-7061-01.6016 CBR 002.

(Signed) Claudette Burroughs-White

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183-00 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 3, 2000 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON GUILFORD COLLEGE ROAD – 24.704 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of September, 2000, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON GUILFORD COLLEGE ROAD -- 24.704 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the eastern right-of-way line of Guilford College Road, the southwest corner of Lot 2 of G. Merritt Estate, as recorded in Plat Book 17, Page 5 in the Office of the Guilford County Register of Deeds; thence S 87° 10' 18" E 1,748.50 feet along the northern line of Lot 3 of said subdivision to the northeast corner of said Lot 3; thence S 03° 25' 21" W 299.78 feet to an iron pipe at the southeast corner of Lot 5 of said subdivision; thence S 03° 25' 32" W 100.13 feet to an iron pipe at the northeast corner of Lot 7 of said subdivision; thence S 03° 27' 45" W 199.90 feet to the southeast corner of Lot 8 of said subdivision; thence N 87° 10' 22" W 1,844.31 feet along the southern line of said Lot 8 to a point in the eastern right-of-way line of Guilford College Road; thence N 10° 32' 08" E approximately 605 feet along said eastern right-of-way line to the point and place of BEGINNING, and containing 24.704 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 2000, the liability for municipal taxes for the 2000-2001 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2001-2002 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, October 3, 2000, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than September 23, 2000.

(Signed) Claudette Burroughs-White

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185-00 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 3, 2000 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON ASSEMBLY ROAD EAST OF PINENEEDLE DRIVE – 40.07 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of September, 2000, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON ASSEMBLY ROAD EAST OF PINENEEDLE DRIVE -- 40.07 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of August 31, 2000, said point being in the east line of Lot 1 of W. A. Smith Estate, recorded at Plat Book 54, Page 4 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 87° 51' 03" E 1,231.98 feet to an existing iron bar; thence N 02° 49' 09" E approximately 164.39 feet to a point in the south right-of-way line of Assembly Road; thence in an easterly direction along said south right-of-way line approximately 700 feet to a point in the west line of property acquired by the North Carolina Department of Transportation for the future interchange of US Highway 29 and the Greensboro Urban Loop Thoroughfare; thence in a southerly direction along the west line of the NCDOT property approximately 900 feet to a point in the west right-of-way line of Corbin Road; thence in a southerly direction along said west right-of-way line approximately 100 feet to a point in White's south line; thence N 84° 38' 25" W 133.19 feet along the north line of the Scales Heirs to an existing iron; thence S 84° 30' 53" W 369.64 feet along the north line of Marshall Scales to the northwest corner of Marshall Scales; thence S 06° 01' 06" W 220.49 feet to an existing iron; thence S 06° 03' 09" W 193.39 feet to a corner with the property of Charles Bell; thence N 88° 18' 03" W 326.0 feet to an iron; thence N 88° 18' 03" W 435.53 feet along the north line of E & H Investors to an existing iron; thence N 88° 15' 21" W 483.98 feet along the north line of Garry V. and Cynthia A. Clapp to the southeast corner of Lot 11 of W. A. Smith Estate, a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS the following bearings and distances: N 05° 01' 11" E 273.65 feet to the southeast

corner of Lot 8 of W. A. Smith Estate; thence N 05° 04' 59" E 339.64 feet to the southeast corner of Lot 4 of W. A. Smith Estate; thence N 04° 59' 34" E 113.80 feet to the northeast corner of said Lot 4; thence N 04° 59' 35" E 108.93 feet to the southeast corner of Lot 2 of W. A. Smith Estate; thence N 04° 58' 48" E 190.62 feet to the point and place of BEGINNING, and containing approximately 40.07 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 2000, the liability for municipal taxes for the 2000-2001 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2001-2002 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, October 3, 2000, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than September 23, 2000.

(Signed) Claudette Burroughs-White

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186-00 RESOLUTION AUTHORIZING INSTALLATION OF WATER LINE ALONG HEDRICK DRIVE UNDER AGREEMENT BETWEEN CITY OF GREENSBORO AND GUILFORD COUNTY

WHEREAS, Guilford County has recently authorized the installation of an 8 inch water main along Hedrick Drive from Carlson Dairy Road to Katie Drive to serve the Greensboro Country Club in accordance with the Consolidated Water and Sewer Agreement between the County and the City;

WHEREAS, the project will be privately financed by the owner;

WHEREAS, in the opinion of the City Council, the best interest of the City will be served by the construction of the water line in accordance with said agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the construction of the above mentioned water line in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided that there shall be no assessments levied.

(Signed) Claudette Burroughs-White

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187-00 RESOLUTION AUTHORIZING INSTALLATION OF SEWER LINE ALONG OLD OAK RIDGE ROAD AND MUIRFIELD DRIVE UNDER AGREEMENT BETWEEN CITY OF GREENSBORO AND GUILFORD COUNTY

WHEREAS, Guilford County has recently authorized the installation of an 8 inch sewer main along Old Oak Ridge Road and Muirfield Drive to serve Fire Station #19 in accordance with the Consolidated Water and Sewer Agreement between the County and the City;

WHEREAS, the project will be privately financed by the owner;

WHEREAS, in the opinion of the City Council, the best interest of the City will be served by the construction of the sewer line in accordance with said agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the construction of the above mentioned sewer line in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided that there shall be no assessments levied.

(Signed) Claudette Burroughs-White

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The following roll call vote was recorded for the FIRST READING of a resolution approving telecommunications Franchise Agreement between the City of Greensboro and PF.Net Network Services Corporation. Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None (Second Reading to be scheduled for a later date, not yet determined)

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Motion to make a part of the minutes report of budget adjustments was unanimously adopted by Council. (A copy of the report is filed in Exhibit Drawer N, Exhibit Number 1, which is hereby referred to and made a part of these minutes.)

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Motion to approve minutes of regular meeting of 5 September 2000 was unanimously adopted by Council.

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The Mayor introduced a resolution calling a public hearing for October 3, 2000 on the contiguous annexation of 32.324 acres of territory to the corporate limits of property of Carrol Investment Properties, Inc. and David R. and Shirley H. Wright located on South Elm-Eugene Street.

Councilmember Perkins advised that he could not vote on this matter due to a conflict of interest. Councilmember D. Vaughan moved to excuse Councilmember Perkins from voting on this item. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

Councilmember D. Vaughan thereupon moved the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Phillips, Vaughan and Vaughan. Noes: None, with Councilmember Perkins abstaining due to conflict of interest.

184-00 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 3, 2000 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON SOUTH ELM-EUGENE STREET – 32.324 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of September, 2000, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON SOUTH ELM-EUGENE STREET -- 32.324 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of August 31, 2000), said point being an existing iron pipe at the southwest corner of William and Catherine Nash Wicker, as recorded in Deed Book 3790, Page 1967 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the southern line of said Wicker S 88° 29' 11" E 497.76 feet to a point in the western right-of-way line of South Elm-Eugene Street; thence in a southerly direction along said right-of-way line 1,087.8 feet to a point in the northern line of property acquired by the North Carolina Department of Transportation for the Interstate 85 Bypass; thence along said NCDOT northern line the following nine courses and distances: (1) N 84° 22' 52" W 70.89 feet to a point; thence (2) along a curve to the left having a radius of 853.15 feet and an arc length of 219.34 feet, a chord bearing and distance of S 79° 39' 55" W 218.74 feet to a point; thence (3) S 66° 10' 00" W 261.84 feet to a point; thence (4) S 64° 11' 38" W 239.74 feet to a point; thence (5) S 67° 59' 53" W 91.51 feet to an existing concrete monument; thence (6) S 75° 13' 48" W 361.85 feet to a point; thence (7) S 86° 35' 26" W 77.94 feet to a point; thence (8) S 87° 21' 57" W 239.30 feet to a point; thence (9) N 83° 44' 37" W 105.84 feet to a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS the following bearings and distances: N 31° 56' 16" E 680.23 feet to a point; thence N 04° 20' 48" E 485.08 feet to the southwest corner of Tract "A" of Wynnmere, Phase 3, as recorded in Plat Book 131, Page 97 in the Office of the Register of Deeds; thence along the southern line of said Tract "A" N 83° 48' 03" E 566.30 feet to the point and place of BEGINNING, and containing 32.324 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 2000, the liability for municipal taxes for the 2000-2001 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2001-2002 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, October 3, 2000, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than September 23, 2000.

(Signed) Don Vaughan

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Mayor Holliday introduced a resolution approving proposed amendments to the citizen participation plan for HUD funded activities. Dan Curry, Housing and Community Development Administrator, briefly explained the amendments would revise the application process to include a citizen participation plan.

Thereupon, Councilmember Johnson moved the adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

188-00 RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE CITIZEN PARTICIPATION PLAN FOR HUD FUNDED ACTIVITIES

WHEREAS, the City of Greensboro is required by law to have a detailed Citizen Participation Plan for HUD Funded Activities;

WHEREAS, a recent amendment the that Plan adds provisions to Section 108 with regard to informing and involving the public in decisions concerning the HUD Loan Guarantee Program;

WHEREAS, the Community Resource Board held a public hearing and approved the amendment at their August 17th meeting, and said Plan is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the proposed amendment to Section 108 of the Greensboro Citizen Participation Plan for HUD Funded Activities is hereby approved.

(Signed) Yvonne Johnson

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The Mayor introduced a resolution approving bid in the amount of \$7,877,415 and authorizing execution of Contract No. 2000-24A with Lyon Construction Company; Contract No. 2000-24D with Loflin Plumbing and Heating; Contact 2000-C with Logan Heating and Air Conditioning; and Contract No. 2000-24D with J.H. Bowman Electrical for Greensboro Public Safety Training Facility construction Project 9709.

The City Manager stated that these were the last portion of bonds approved in the 1996 referendum. He praised the cooperative work of the Fire and Police Departments to save money and stated their efforts had resulted in a cost of eight million dollars compared to the 30 million dollars originally budgeted for the facility.

Councilmember D. Vaughan moved the adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

189-70 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2000-24A WITH LYON CONSTRUCTION COMPANY; CONTRACT NO. 2000-024B WITH OFLIN PLUMBING & HEATING; CONTRACT 2000-24C WITH LOGAN HEATING & AIR CONDITIONING AND CONTRACT 2000-24D WITH J.H. BOWMAN ELECTRICAL FOR GREENSBORO PUBLIC SAFETY TRAINING FACILITY CONSTRUCTION PROJECT 9709

WHEREAS, after due notice, bids have been received for Greensboro Public Safety Training Facility Construction Project 9709 for Phase I which encompasses the building of a new training center for Police and Fire;

WHEREAS, bids were received in multiple prime format from 18 firms with the low bids as follows: General: Lyon Construction Company in the amount of \$6,111,000.00; Plumbing: Loflin Plumbing & Heating in the amount of \$252,890.00; Mechanical: Logan Heating & Air Conditioning in the amount of \$928,255.00 and Electrical: J. H. Bowman Electric of Greensboro in the amount of \$585,270.00 which bids, totaling \$7,877,415.00, in the opinion of the City Council, are the best bids from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bids hereinabove mentioned submitted by Lyon Construction, Loflin Plumbing & Heating, Logan Heating & Air Conditioning and J. H. Bowman Electric are hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 436-4030-01.6013 CBR 001.

(Signed) Don Vaughan

(A tabulation of bids for the public safety training facility construction project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Mayor Holliday introduced a resolution approving the execution of Contract No. 2000-25 with Kenmor Electric, LP for the T.Z. Osborne WW Reclamation Facility 30 MGD expansion and upgrade phase III, Contract 3.

Following brief remarks by the City Manager, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Carmany. The resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

190-00 RESOLUTION APPROVING THE EXECUTION OF CONTRACT NO. 2000-25 WITH KENMOR ELECTRIC, LP FOR THE T.Z. OSBORNE WW RECLAMATION FACILITY 30 MGD EXPANSION AND UPGRADE PHASE III, CONTRACT 3

WHEREAS, Haren Construction was hired to complete Phase II under a time and materials contract for the T.Z. Osborne WW Reclamation Facility upon termination of the contract with MCI Constructors, Inc.;

WHEREAS, KenMor Electric, LP performed the electrical work as a subcontractor with MCI and continued as a subcontractor to Haren Construction in order to complete this project;

WHEREAS, since the electric work is intricately entwined with the general construction, KenMor Electric, LP has remained on site working throughout the entire project and the City has negotiated a contract in the amount of \$751,356.00 with KenMor Electric, LP for the completion of the electrical work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the contract with Ken Mor Electric, LP is hereby approved, and the Mayor and City Clerk are hereby authorized to execute said contract on behalf of the City of Greensboro, payment to be made from Account No. 509-7056-01.6013.

(Signed) Claudette Burroughs-White

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Jonathan Ballinger, residing at 6308 Ballinger Road, stated his opposition to the construction for the Bledsoe Lift Station with respect to the actions related to his family's property that Council had adopted and requested the City install the pipeline on property adjacent to the Ballinger's property.

The City Attorney explained that in addition to a construction easement, the City would need to bring to Council a resolution for condemnation for permanent easement if unable to settle with the Ballingers.

The City Manager spoke to a letter that outlined the City's position that had recently been sent to the Ballingers. After Jan Wood, residing at 2590 Bethel Road in Kernersville,NC, questioned the Ballinger's receipt of the letter. Frank Wyatt, City Engineer, verified that a letter regarding the City's position in this matter had been sent via certified mail to Max Ballinger, the property owner, and stated that efficiency and cost effectiveness were the determinants in the City's decisions.

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Dewey Massey, Director of Amends Ministry, Inc., with offices located at 3626 Mosby Drive, provided information about his ministry. He requested Council to refund taxes the organization had paid to the City in 1999, which in his opinion, occurred when the organization had an exempt status. He stated the County Commissioners had authorized a refund for County taxes paid at that time.

The City Attorney stated that her office would review this request and make a determination. The City Manager stated that Council would receive a copy of the City's findings.

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At the request of the Mayor, Council announced the following appointments to the Greensboro Comprehensive Plan Steering Committee: Councilmember Johnson, Carolyn Allen; Councilmember Burroughs-White: Donald McDowell; Councilmember Jones: Anna Sachs and Richard Bowling; Mayor Holliday: Heather Siefert. Council briefly discussed the possibility of appointing alternates to the committee and representation by environmentally oriented constituents.

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Councilmember Johnson requested an update on Hope 6 by the Greensboro Housing Authority be placed on the agenda for the October 3, 2000 Council Meeting and distributed a resolution and requested Councilmembers to look at a potential moratorium on executions.

Councilmember Johnson moved that Gary Palmer be appointed to serve on the Human Relations Commission; this term will expire 15 August 02. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of the Council.

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Councilmember Jones moved that Raymond King be appointed to serve on the Community Resource Board. Following brief discussion by Council with respect to a potential conflict of interest, the motion died for lack of a second.

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Councilmember D. Vaughan announced that a Town Hall meeting for Historic Districts was being planned for November 11, 2000; he stated that additional information would be provided.

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Councilmember Carmany advised the Council of the upcoming Sister City Agreement Signing Ceremony following the Tuesday briefing, including members of the Greensboro City Council and the Buiucani, Moldova Mayor and delegation.

In response to recent activities in her district, Councilmember Carmany requested the City Attorney and Planning Department to review the possibility of increasing ordinance regulations with respect to the distance required between night clubs and residential areas, churches and schools.

Councilmember Carmany added the name of Brian W. Byrd to the boards and commissions data bank for consideration of future service on the Board of Adjustments.

Councilmember Carmany moved that Mandy Lotz be appointed to serve on the Commission on the Status of Women; this term will expire 15 August 02. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of the Council.

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Councilmember Burroughs-White added the name of Timothy O. Hicks to the boards and commissions data bank for consideration of future service.

Councilmember Burroughs-White moved that Jeffrey Roberts be appointed to serve on the Minimum Housing Standards Commission; this term will expire 15 August 03. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of the Council.

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Mayor Holliday stated that Junior Achievement of Central North Carolina, Inc. had requested a member of Council to serve on their board. Councilmember Phillips stated that he would be glad to serve.

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The Mayor requested Council nominate a voting delegate for the upcoming North Carolina League of Municipalities meeting. Councilmember Carmany moved that Mayor Holliday be appointed as Greensboro's voting delegate and Councilmember Perkins as Greensboro's alternate voting delegate. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

The Mayor added the name of L.E. "Bud" Milks be to the boards and commissions data bank for consideration of future service.

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Councilmember Perkins spoke to his concerns regarding the proliferation of news stands in downtown Greensboro.

Councilmember Perkins added the name of Donald Sparrow to the boards and commissions data bank for consideration of future service on the Board of Adjustment.

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Council discussed various recent and upcoming community events.

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The City Manager provided to Council and reviewed information regarding upcoming activities, and leadership of the bond referendum committee.

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Councilmember Johnson moved that the City Council adjourn. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 9:20 P.M.

SUSAN E. CROTTS
DEPUTY CITY CLERK

KEITH A. HOLLIDAY
MAYOR
